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C O N F I D E N T I A L SECTION 01 OF 04 KINSHASA 000922

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SUBJECT: CONTINUED PROBLEMS FOR DRC AIRLINES

REF: 05 KINSHASA 1749

Classified By: Econcouns Greg Groth for reasons 1.4 b/d

¶1. (SBU) Summary. After a disastrous 2005 in which nearly 10 percent of all Congolese commercial aircraft were involved in crashes, the DRC continues to suffer from numerous accidents. Government aviation council recommendations for improvement and a UN safety inspection of the "better" DRC airlines have seemingly had no impact on the situation. DRC airline regulatory authorities are ineffective and corrupt, DRC airlines are poorly regulated, safety measures are not implemented or enforced, and DRC planes are not adequately maintained. In March 2006, the European Union banned all Congolese airlines except one from flying into or over EU airspace. At the IATA's general assembly June 5, the association's director general denounced the DRC's aviation security, characterizing it as a "disgrace." End summary.

The Heavy Toll

2. (SBU) The Democratic Republic of the Congo (DRC) airline industry is plagued by inadequate regulation and systemic corruption, and the majority of DRC airlines are poorly maintained and unsafe (reftel). At least 15 Congolese commercial aircraft are known to have crashed in the DRC in 2005, amounting to ten percent of the entire DRC commercial airline fleet. According to DRC Ministry of Transport officials, 75 percent of the 150 commercial aircraft now flying in the DRC are over 30 years old and are admittedly not properly maintained.

¶3. (SBU) To date in 2006, 11 commercial planes, most carrying cargo, have crashed. This includes three recent crashes during the week of April 24, two of which involved U.S.-built aircraft. On April 26 an Antonov 26 crashed near Lubutu, Maniema province, killing five of six people on board; on April 26 a Convair 580, registered in South Africa by Peace Airlines (PAC) crashed near Amisi, Maniema province, killing all eight people on board; and on April 28 a Cessna 208 on a World Food Program mission crashed in the Ruwenzori Mountains, killing all three crew members on board. There were reports of a fourth plane that was rumored to have

crashed near Lubero on April 24. MONUC was trying to confirm the rumor, but few people were talking because the plane was supposedly smuggling minerals out of the DRC when it crashed.

GDRC Aviation Council Recommendations Ignored

¶ 14. (C) The September 2005 GDRC Civil Aviation High Council recommendation to order the grounding of 33 out of 52 domestic airline companies and to ban Russian-made Antonov planes from flying within the DRC after March 2006 was never enacted. (Note: Antonovs were singled out because they have been involved in frequent mishaps; many of the Antonovs are old military planes that have been converted to commercial use and are not properly maintained. End note.) The names of the 33 banned airlines were never made public, and Antonovs are still flying in the DRC as of June 2006. Leonard Nsiye, the director of the DRC's Civil Aviation Authority (CAA), told Econoff that this was because the Civil Aviation High Council had presented its recommendations to parliament, but that parliament had never acted on them. He expressed doubt that parliament would ever approve the ban, since approximately half of the planes flying in the DRC are Antonovs.

UN Safety Inspection: None Safe

¶ 15. (SBU) A UN-sponsored "safety inspection" in December 2005, conducted by the UN Joint Logistics Center (JLC), targeted

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the top half-dozen commercial airline companies in the DRC. Its expressed purpose was to determine whether U.N. humanitarian activities, expected to increase during 2006, could depend upon local commercial companies for needed personnel and cargo movements. The JLC, in conjunction with the International Air Transport Association (IATA), World Food Program, and the DRC's own CAA, determined that none of the airlines inspected were up to IATA certification standards. One of the airlines, Hewa Bora Airlines, is reportedly close, however, to achieving certification.

DRC Heads EU Blacklist

¶ 16. (U) On March 22, the European Union banned 92 airlines from flying over, landing in, or taking off from all EU member countries. Of these 92 airlines, the ban lists 51 airlines registered in the DRC. This includes every registered airline in the DRC except one, Hewa Bora Airlines, which is allowed to fly one of its planes, a Lockheed Tristar 500, into the EU. In adopting this measure, the EU Transportation Commissioner, Jacques Barrot, characterized these banned aircraft as "flying coffins."

¶ 17. (U) DRC airline industry officials responded negatively to the blacklist and cited a number of problems with it. They note that at least five of the DRC airlines on the original list no longer exist: Thom's Airways, Air Transport, DAS Airlines, Kinshasa Airlines, and Air Terre. The ban, they complain, does not effect any countries that use Airbus aircraft, such as Egypt, where Flash Airlines had a crash in January 2004 that killed 148 people. This has lead DRC officials to contend that the ban is arbitrary and punitive.

¶ 18. (SBU) The EU Transportation Commission did not visit the DRC or inspect any DRC airlines before enacting the ban against the 51 DRC airlines. It apparently based its decision on a study done in 2001 by the International Civil Aviation Organization (ICAO). Nsiye claimed that the DRC had already implemented all the safety recommendations. issued in

the ICAO study, and argued that the DRC airline industry is properly regulated and safe.

¶19. (SBU) Nsiye claims he convinced the EU Transportation Commission to allow representatives of DRC airlines to travel to The Hague to defend their companies before the final list of banned planes was published. Hewa Bora, the only DRC airline that currently flies to the EU (one flight weekly to Brussels), was the only airline that chose to do so.

A "Disgrace"

¶10. (U) Giovanni Bisignani, director general of the International Air Transport Association (IATA), called what is happening in the DRC a "disgrace to our profession" during his address to the June 5 IATA general assembly meeting,

¶11. (U) DRC airlines are regulated by the CAA, and the DRC airports are regulated by the Air Traffic Authority (Regie des Voies Aeriennes, or RVA). Both agencies come under the Ministry of Transport. DRC law states that all airlines are to be maintained in accordance with United States Federal Aviation Authority (FAA) standards. In 1998 and again in 2000, the U.S. Embassy provided FAA manuals to the DRC in order to facilitate this requirement. The CAA has approximately 20 inspectors who examine commercial planes about three times a week. There is not, however, a standard inspection schedule or a systematic inspection approach. The inspectors examine planes randomly, inspecting those that are scheduled to fly on the day of the inspection.

¶12. (U) It is worth noting that the DRC installed the Global Navigation Satellite Systems (GNSS) at the Ndjili Airport in Kinshasa and the airport in Lubumbashi during the month of May. GNSS is used by air traffic controllers to regulate

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takeoffs and landings. Until May, air traffic controllers in the DRC directed air traffic manually by using radio communication and binoculars.

Corrupt Inspectors

¶13. (C) By all accounts, the CAA and RVA inspectors, who supposedly earn about USD 30 per month, use airline safety regulations to systematically extort bribes. When inspectors find that an airline is in violation of a safety code, they give the aircraft operator a choice. The operator can fix the problem, which inspectors discourage by refusing to accept, file, or recognize paperwork, or he can pay the inspector to overlook the problem. The result is that both airline operators and DRC inspectors prefer not to fix safety problems. Safety measures are circumvented and planes are not maintained. Econoff asked Nsiye about this system of corruption, which he is widely rumored to oversee and profit from. Nsiye said that the CAA does not endorse such practices, but that it would be difficult for him to know about it, even if such things were occurring.

Hewa Bora: The Best of a Bad Bunch

¶14. (SBU) Belgium-registered Hewa Bora Airlines, appears to be the only airline in the DRC that operates in compliance with FAA safety standards. Econoff visited Hewa Bora's maintenance facilities. They were clean, active, and modern. Mechanics were working from manuals and all maintenance activities during the last five years were documented in detail. CAA inspectors also train on Hewa Bora's planes, and are therefore frequently aboard the planes. Hewa Bora has 14 planes and has had one crash, which occurred in 1998 when a

Hewa Bora planed was struck by a surface-to-air missile fired by rebel forces. Stavros Papaioannou, the president of Hewa Bora, said that Hewa Bora purchases planes from western airline companies, such as Delta Airlines, and maintains them to FAA and manufacturer standards once acquired. Papaioannou said that this effort adds 20 percent to the cost of Hewa Bora flights, and makes it difficult for Hewa Bora to compete with other DRC airlines. Papaioannou said that some of the worst safety offenders in the DRC are CAA, Air Kasai, Butembo Airlines, Blue Airlines, and ITAB.

¶15. (C) Papaioannou told Econoff about a plane that flies to and from Miami with valid, but illegally obtained, DRC registration documents, in violation of FAA operating regulations. The plane is owned by the Flightstar Group, and flies between Miami and South America. It is a 1974 Lockheed L1011-50, with registration number 9Q-CTS and serial number 193B-1066. Papaioannou claims that Flightstar bribed officials in the DRC to register the plane, since at one point the plane was to be sold to Lignes Aeriennes Congolaises (LAC) and operate in the DRC. (Note: LAC is the DRC's national airline, and was previously known as Air Zaire. LAC has not had any functioning planes, however, for over 10 years, and has not paid its employees in over 160 months. End note.) LAC never acquired the plane, which subsequently never arrived in the DRC. Flightstar, however, acquired the DRC registration documents and continues to use them to fly in and out of the U.S. Papaioannou says that he considered buying the plane at one point and that he spoke with Flightstar's president and various DRC officials about its registration. The plane is currently for sale again, and can be found on the internet by conducting a serial number search.

Worse in Eastern Congo

¶16. (C) Safety oversight and regulation are arguably worst in the eastern DRC. A January 2006 report by the MONUC Group of Experts (GOE) noted that many planes in the eastern DRC

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operate without licenses, such as Great Lakes Business Company (GLBC), Compagnie Aerienne des Grands Lacs (CAGL) and Ruwenzori Airlines. Eastern DRC planes, the report said, were not regulated or maintained well and frequently landed at runways that were not monitored or regulated by the DRC customs authority (OFIDA), making it nearly impossible to track their movements and cargo. The GOE report noted that the RVA and CAA lack air-to-ground communication equipment in the eastern DRC, making it impossible to control or track flights in and out of the area. Airlines take advantage of this situation to deviate from stated flight plans. The UN experts strongly suspect that some of these planes are being used for illegal arms trafficking.

¶17. (SBU) Comment. DRC commercial airlines are not adequately regulated and the airline industry suffers from inefficiency and systematic corruption, causing planes to be poorly maintained and unsafe. Given the DRC's size and lack of surface roads, however, large commercial air fleets are and will be essential to move people and goods around the country. Post is in contact with international aviation regulatory agencies, USG offices concerned with aviation safety, and the National Transportation Safety Board (NTSB) to facilitate assistance to the DRC Civil Aviation Authority and the DRC airline industry. This could include much-needed training for Congolese aviation investigators and inspectors, as well as NTSB assistance in any case where American-manufactured aircraft or engines are involved in an accident. End comment.

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